

Original sponsor: Health, Education and  
Social Services Committee

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

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CS FOR HOUSE BILL NO. 552 (L&C)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - SECOND SESSION

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A BILL

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For an Act entitled: "An Act relating to civil liability for emergency aid  
administered by community health aides and hospital  
or clinic employees or staff members."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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\* Section 1. AS 09.65.090(a) is amended to read:

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(a) A person at a hospital or any other location who renders  
emergency care or emergency counseling to an injured, ill, or emotion-  
ally distraught person who reasonably appears to the person rendering  
the aid to be in immediate need of emergency aid in order to avoid  
serious harm or death is not liable for civil damages as a result of  
an act or omission in rendering emergency aid. The immunity provided  
under this subsection does not apply to an employee of a hospital or  
clinic or a member of a hospital's or clinic's medical, dental, or  
nursing staff who

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(1) has a preexisting duty to provide the emergency care or  
assistance as a part of a hospital's or clinic's operations; and

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(2) provides the emergency care or assistance while per-  
forming duties as an employee of the hospital or clinic or as a staff  
member of the hospital or clinic.

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\* Sec. 2. AS 09.65.090 is amended by adding a new subsection to read:

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(c) A community health aide under AS 18.28 who renders emergency  
care or emergency counseling to an injured, ill, or emotionally dis-  
traught person who reasonably appears to the community health aide to  
be in immediate need of emergency aid in order to avoid serious harm

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1 or death is not liable for civil damages as a result of an act or  
2 omission in rendering emergency aid regardless of whether the communi-  
3 ty health aide is under a preexisting duty to render assistance. The  
4 immunity provided to a community health aide under this subsection  
5 does not apply to civil damages that result from providing or attempt-  
6 ing to provide any of the following advanced life support techniques  
7 unless the person who provided them was authorized by law to provide  
8 them:

- 9 (1) electric cardiac defibrillation;
- 10 (2) administration of antiarrhythmic agents;
- 11 (3) intravenous therapy; or
- 12 (4) use of endotracheal intubation devices or esophageal  
13 airway devices.